

U28.1.5 Paternity Situation Table

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PARENTS MARRIED (LEGAL DAD)					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
1.	Dad and Mom married prior to birth of child; separated (legally or informally).	PNI	Document date of marriage.	N	LEG
2.	Dad and Mom married but divorced during pregnancy. DD does not mention unborn child.	PNI	Document date of marriage.	N	LEG
3.	Dad and Mom married. Marriage annulled. Legal Dad does not contest paternity. No Bio-Dad (Idaho Code 32-503).	PNI	Document date of marriage	N	LEG

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PARENTS MARRIED (LEGAL DAD)					
4.	Dad and Mom married prior to birth of child.				
	<p>A. Order contains language that excludes Dad.</p> <p>Dad excluded by order (administrative or court) e.g., "John Doe is not the father of Timmy Doe."</p> <p>No paternity establishment on another father exists.</p>	PII	Copy of the order excluding Legal Dad* or naming another man as Father. Copy of the genetic test results excluding the LEG dad or positive results on other man. Copy of the Paternity ACK.	Y	LEX
	<p>B. Genetic testing (Idaho Code 7-1119 and 7-1116 excludes Dad.)</p> <p>No order establishing paternity exists and no other AF established as father.</p>	PII	Paternity will be coded based on the BIO dad.	Y	LEX
	<p>C. Three-party Paternity ACK (Idaho Code 7-1119).</p> <p>NOTE: A two-party acknowledgement does not exclude Legal Dad, must be three-party acknowledgement.</p>	PEA	*If order states, "No child born of the marriage," request the complaint for more clarification and see Chapter 3.1.3: Marriage or Subsequent Marriage .	Y	LEX
5.	<p>Dad and Mom married prior to birth of child.</p> <p>Divorce decree entered.</p> <p>Subsequent order entered to dismiss the child support ordered.</p>		<p>Copy of the dismissal order* in addition to documentation of original paternity coding.</p> <p>*Request the complaint for more clarification and documentation of no exclusion language.</p>		
	A. Order contains language that excluded Dad.	PII		Y	LEX

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PARENTS MARRIED (LEGAL DAD)					
	B. Order does NOT contain language that excludes Dad.	PNI		N	LEG
6.	Dad and Mom married prior to birth of child. Mom or Dad contests paternity. Dad is given genetic testing and proved to be Dad. Idaho CSS enters Paternity Order.	PNI	The justification for this coding is the genetic testing was merely a confirmation of what was already presumed.	N	LEG
7.	Dad and Mom married prior to birth of child. Mom or Dad contests paternity. Legal Dad has not yet been legally excluded.	PNI		N	LEG
8.	Dad and Mom married prior to birth of child. Dad, Mom, and Bio-Dad sign three-party ACK (must be filed with Vital Statistics.)	PEA	Request copy of ACK from Vital Statistics (or equivalent) in state where child was born.	Y	LEX
9.	Dad and Mom married by Common Law. Divorce decree entered with filiation language.	PEO		Y	BIO
10.	Dad and Mom married by Common Law. NO divorce decree.	PII		Y	BIO

Idaho CSS has never recognized Common Law marriage for paternity establishment.

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PARENTS MARRIED AFTER CHILD IS BORN					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
11.	Dad and Mom married after birth of child; No subsequent Marriage AFF or Paternity ACK filed with Vital Stats; No order of filiation or divorce decree.	P11	Use the information provided regarding marriage to document the OOW code and have parties sign Subsequent Marriage AFF. If signed, refer to Situation #12.	Y	BIO
12.	Dad and Mom married after birth of child;		Request copy of AFF or ACK from Vital Statistics (or equivalent) in state where child was born. A copy of the filed Acknowledgment of Affidavit must be obtained for the file.		
	A. Paternity ACK filed prior to marriage.	PEA		Y	BIO
	B. Subsequent Marriage AFF filed after marriage.	SUA		Y	BIO
13.	Dad or Mom married after birth of child; No Paternity ACK; Idaho CSS entered order without filiation language				
	A. Complaint alleges paternity.	PEB	Use order and complaint for documentation. Narrate "Paternity allegation is in the complaint."	Y	BIO

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PARENTS MARRIED AFTER CHILD IS BORN					
	B. Complaint has no paternity language.	PEB	Use order and complaint for documentation. Narrate "Paternity was presumed not an issue. Paternity was not refuted by NCP."	Y	BIO
14.	<p>Dad and Mom married after birth of child;</p> <p>No Paternity ACK or Subsequent Marriage AFF;</p> <p>Divorce Decree entered with no filiation language and no support ordered;</p> <p>Dad's name is not on birth certificate or birth certificate not available at time of coding.</p>				
	A. Complaint alleges paternity.	PEO	Use order and complaint for documentation. Narrate "Paternity allegation is in the complaint. Paternity was not refuted in DD. NCP is dad per Idaho code regarding subsequent marriage."	Y	BIO
	B. Complaint has no paternity language.	PEO	<p>Use order and complaint for documentation. Narrate "Paternity was not refuted in DD. NCP is dad per Idaho code regarding subsequent marriage."</p> <p>If this AF contests the entry of a child support order, he is still entitled to testing as no evidence that paternity has been adjudicated.</p>	Y	BIO
15.	<p>Dad and Mom married after birth of child;</p> <p>No ACK or AFF.</p>				
	A. No Support Order exists.	PII		Y	BIO

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PARENTS MARRIED AFTER CHILD IS BORN					
	B. Idaho CSS entered language order with filiation language.	PEB		Y	BIO
	C. Other state or private order entered with filiation language.	PEO		Y	BIO
16.	Dad and Mom married after birth of child; No Paternity ACK or Subsequent Marriage AFF; Divorce Decree names child and orders current support.	PEO		Y	BIO
17.	Mom has a child; Father Unknown; Mom later marries and divorces NCP on our case; DD states NCP is not Bio-Dad but relationship has been established and child support ordered.	PEO	Request copy of DD (Have a DAG review.)	Y	NON

PARENTS NEVER MARRIED (BIO-DAD)					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
18.	Dad and Mom never married.	P11	Written documentation stating parents were never married. (0429's, the paternity questionnaire, filiation, etc.)	Y	BIO

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PARENTS NEVER MARRIED (BIO-DAD)					
19.	Dad and Mom not married at time of birth; Dad signed Paternity ACK that was filed with Vital Statistics. No rescission filed. No order.		Request copy of Paternity ACK from Vital Statistics (or equivalent) in state where child was born.		
	A. ACK filed before 7/1994.	PII	Requires new ACK or order.	Y	BIO
	B. ACK filed between 7/1/94 and 6/30/96.	PEA	Provides a presumptive finding of paternity.	Y	BIO
	C. ACK filed after 7/1996	PEA	Provides a conclusive establishment on its own.	Y	BIO
20.	Dad and Mom not married at time of birth. Dad signed paternity ACK that was filed with Vital Stats. No rescission filed. CSS enters support order for current support.		Request copy of Paternity ACK from Vital Statistics (or equivalent) in state where child was born.		
	A. ACK filed before 7/1/94 and before order was entered.	PII	CSS must also establish paternity within support order to code PEB.	Y	BIO
	B. ACK filed between 7/1/94 and 6/30/96 and before order was entered.	PEA		Y	BIO
	C. ACK filed between 7/1/94 and 6/30/96 and after order was entered.	PEB		Y	BIO
	D. ACK filed after 7/1/96 and before order was entered.	PEA		Y	BIO
	E. ACK was filed after 7/1/96 and after order was entered.	PEB		Y	BIO

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PARENTS NEVER MARRIED (BIO-DAD)					
21.	Dad and Mom not married at time of birth.		Request copy of original Paternity ACK, Rescission and genetic testing and/or exclusion order.		
	A. Dad signed Paternity ACK, then rescinded.	PAR		Y	BIO
	B. Dad signed Paternity ACK, rescinded, and then was excluded by an order and/or genetic testing, (Idaho Code 7-1116)	PAR		Y	BEX
	C. Dad signed Paternity ACK, rescinded, and then Idaho CSS entered order establishing paternity.	PEB		Y	BIO
	D. Dad signed Paternity ACK, rescinded, and then order was entered by other state or private action establishing paternity.	PEO		Y	BIO
22.	Dad and Mom not married at time of birth. Idaho CSS entered order establishing paternity. Order is titled, "Order of Filiation" or contains filiation language per Idaho Code 7-1104 (See NOTE at end of table).	PEB	Copy of Paternity Order.	Y	BIO
23.	Dad and Mom not married at time of birth. No Paternity ACK. Idaho CSS entered order. No paternity language in order.				

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PARENTS NEVER MARRIED (BIO-DAD)					
	A. There is paternity language in the complaint.	PEB	Use the complaint for documentation. Narrate, "Paternity allegation is in the complaint."	Y	BIO
	B. There is NO paternity language in the complaint.	PEB	Use order and complaint for documentation. Narrate, "At the time order entered, paternity presumed not an issue. Paternity not refuted by NCP."	Y	BIO
24.	Dad and Mom not married at time of birth. Private action or another state entered order establishing paternity (even at Idaho's request, i.e., administrative court.).	PEO	Contact the other state to determine what constitutes "valid paternity establishment" in their state. This information may also be found on the IRG. Get copy of order and/or statement from other state agency or IRG regarding valid paternity establishment for that state.	Y	BIO
25.	Dad and Mom not married at time of birth. Dad excluded by order and/or genetic testing (see Idaho Code 7-1116).	PII	Copy of genetic test results and/or copy of exclusion order. Genetic testing alone can exclude an individual if there has been no conclusive establishment of paternity for this individual and child.	Y	BEX
26.	Dad and Mom not married at time of birth. Court order with current support was entered. Paternity may or may not have been specifically addressed. Subsequently, an order is entered dismissing the current support ordered.		Copy of the dismissal order in addition to documentation of original paternity coding. NOTE: Prior coding remains unchanged until NCP has been excluded.		
	A. The dismissal order contains language excluding Dad.	PII		Y	BEX

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PARENTS NEVER MARRIED (BIO-DAD)					
	B. The dismissal order does not contain language excluding Dad.	See NOTE.		Y	BIO
27.	<p>Bio-Dad and Mom not married at time of birth.</p> <p>Mom was married to another man and he is not Bio-Dad.</p> <p>Legal Dad, Mom, and Bio-Dad signed three-party ACK which is filed with Vital Statistics.</p> <p>NOTE: A two-party acknowledgement does not exclude Legal Dad; must be a three-party acknowledgement.</p>	PEA	Request copy of ACK from Vital Statistics (or equivalent) in state where child was born.	Y	<p>Legal Dad LEX</p> <p>Bio-Dad BIO</p>

MOM ARTIFICIALLY INSEMINATED					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
28.	<p>Mom artificially inseminated.</p> <p>NCP on case is "unknown".</p>	P11	<p>Copy of statement or other documentation from CP.</p> <p>If EPICS case, request/support for Good Cause and possible Case Closure.</p>	Y	BIO

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MOM CLAIMED SHE WAS MARRIED, BUT WAS NOT					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
29.	<p>Dad's name is on birth certificate.</p> <p>Child support order exists.</p> <p>No paternity language in the order (whether or not filiation language is in the complaint).</p> <p>Neither Mom nor Dad is refuting paternity.</p>	PNI	<p>Use written verification from Vital Statistics (R361) and the complaint as documentation. Narrate, "Information provided to Vital Statistics at time of child's birth indicates marriage."</p> <p>(The order did not establish paternity because there is no filiation language; the order was entered on the presumption that paternity was not an issue. If it is not contested, the presumption will be allowed to stand.)</p>	N	LEG
30.	<p>Dad's name is on the birth certificate.</p> <p>No Paternity ACK.</p> <p>Mom or NCP now says they were never married or marriage invalid.</p> <p>No court order exists.</p>	PII	<p>Get Paternity ACK signed or use a copy of the birth certificate and/or written statement from Vital Statistics as evidence when referring to attorney for order.</p> <p>Make sure filiation language is included in the order.</p>	Y	BIO
31.	<p>Mom claimed "married" when child was born but they were actually married AFTER birth.</p> <p>Dad's name is on the birth certificate.</p> <p>Mom and NCP/Dad still together.</p> <p>No Paternity ACK.</p> <p>No DD or CS Order entered.</p>		<p>Use documentation from Vital Statistics (R361) regarding claim of marriage and narrate, "Information provided to Vital Statistics at time of child's birth indicates marriage but subsequent documentation proves otherwise," to explain why coding changed.</p>		

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MOM CLAIMED SHE WAS MARRIED, BUT WAS NOT					
	A. Subsequent Marriage AFF signed.	SUA	Use copy of AFF from Vital Statistics.	Y	BIO
	B. No subsequent Marriage AFF signed.	PII	Proceed with Paternity Establishment.	Y	BIO

MOM AS NCP					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
32.	Mom and Dad not married at time of birth. Mom is NCP. No associated male NCP case.		Obtain documentation of paternity for the file. Refer to appropriate table item for code based on the documentation. If no documentation in file yet, or you have thoroughly documented the attempts but are still unable to obtain sufficient documentation, code as, "PII & OOW = Y"	Y	MOM
33.	Mom and Dad married after birth of child. Mom is the NCP. No associated male NCP case.		Obtain documentation of paternity for the file. Refer to appropriate table item for code based on the documentation. If no documentation in file yet or you have thoroughly documented the attempts but are still unable to obtain sufficient documentation, code as, "PII & OOW = Y".	Y	MOM
34.	Mom and Dad married prior to birth of child. Mom is the NCP. No associated male NCP on case.	PNI	Obtain documentation for the file. If no documentation in file yet, or you have thoroughly documented the attempts but are still unable to obtain sufficient documentation, clearly document reason for presumption of marriage and code "STATUS" as "I" (in process).	N	MOM

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MOM AS NCP					
35.	<p>Mom and Dad not married at time of birth.</p> <p>Mom is NCP.</p> <p>There IS an associated male NCP case.</p>		<p>Use same coding as the associated male NCP case based on the evidence in the hard file. If multiple dads exist, code "Mom" cases same as the primary Bio-NCP case. Once paternity is established, update "Mom" case to match.</p>	Y	MOM
36.	<p>Mom and Dad married after birth of child.</p> <p>Mom is NCP.</p> <p>There IS an associated male NCP case.</p>		<p>Use same coding as the associated male NCP case based on the evidence in the hard file. If multiple dads exist, code "Mom" cases same as the primary Bio-NCP case. Once paternity is established, update "Mom" case to match.</p>	Y	MOM
37.	<p>Mom and Dad married prior to birth of child.</p> <p>Mom is NCP.</p> <p>There IS associated male NCP case.</p>		<p>Use same coding as the associated male NCP case based on evidence in the hard file. If multiple dads exist, code "Mom" cases same as the primary Bio-NCP case. Once paternity is established, update "Mom" case to match.</p>	N	MOM

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ADOPTION BY NCP OR THIRD PARTY AND/OR TERMINATION OF PARENTAL RIGHTS					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
38.	NCP adopts Child (from another relationship or a third party's child).		<p>Copy of Adoption Order (if available) statement from NCP/CP, or statement from Vital Statistics (or equivalent). Update the relationship code for all other possible NCPs to "TRM" (both Bio and Legal).</p> <p>Refer to the first note below this table for more information on the OOW coding.</p> <p>If no information can be found to determine if an adopted child was born out of wedlock, the default should be "Y". However, narrative or hard copy documentation must be available to establish that a diligent effort was made to obtain the information. (Call Vital Statistics to obtain the best information.)</p>		
	A. Mom NOT married to anyone at time of birth.	PEO		Y	ADT
	B. Mom married to anyone at time of birth.	PEO		Y	ADT
39.	<p>Mom not married to NCP (or anyone) at time of birth.</p> <p>Child adopted by third party prior to formal paternity establishment of Bio-Dad (Idaho Code 16-1513; 16-1501A; 16-1509).</p>	PEO	<p>Copy of Adoption Order (if available) statement from NCP/CP, or statement from Vital Statistics (New Birth Certificate, etc.) Update relationship code for all other possible NCPs to "TRM".</p> <p>See #38 for more instruction.</p>	Y	TRM

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ADOPTION BY NCP OR THIRD PARTY AND/OR TERMINATION OF PARENTAL RIGHTS					
40.	Mom married at time of birth, but not to NCP. Child adopted by a third party prior to formal paternity establishment of Bio-Dad (Idaho Code 16-1513; 16-1501A; 16-1509).	PEO	Unless child is adopted, paternity and OOW coding will remain as it was prior to termination of rights.		TRM
41.	NCP's parental rights terminated after paternity establishment but child NOT adopted.		Paternity and OOW coding will remain as it was prior to termination of rights.		TRM

NOTE: The OOW code reflects the mother's marital status at the time of the child's birth. If paternity is established prior to the child being adopted, the paternity coding should reflect the original paternity establishment of the child. Vital Statistics records this information and it does not change when an adoption changes the father on the birth certificate.

If paternity was not established prior to the adoption, the paternity coding should reflect the status based on the adoption order which has established conclusive paternity for the adoptive father. (7/24/07)

NOTE: The rights of any established or potential father are terminated upon adoption. Vital Statistics does not get a copy of the termination order; they receive a certificate stating there has been an adoption and instructions to replace the father's name on the birth certificate with the one provided. Terminations are different than exclusions; this is why Bio-Dad's paternity code must not be updated to BEX.

All other possible fathers are considered to have had their parental rights terminated at the time of the adoption, even if they are not specifically named in the adoption or termination order.

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SURROGATE MOM					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
42.	<p>NCP is male and married to a woman other than the Surrogate.</p> <p>NCP does not sign paternity ACK.</p> <p>Surrogate was inseminated by NCP or by Donor other than NCP.</p> <p>NCP's wife adopts child but NCP does not.</p>	PII		Y	BIO
43.	<p>NCP is male and married to a woman other than the Surrogate.</p> <p>NCP signs Paternity ACK.</p>	PEA	Request copy of Paternity ACK from Vital Statistics (or equivalent) in state where child was born.	Y	BIO
44.	<p>NCP is male and married to a woman other than the Surrogate.</p> <p>NCP does not sign paternity ACK.</p> <p>NCP adopts child.</p>	PEO	Copy of Adoption Order (if available) statement from NCP/CP, or statement from Vital Statistics (New Birth Certificate, etc.)	Y	ADT

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NCP IS STEPPARENT TO CHILD					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
45.	Stepparent is selected as NCP on the ICSES case -maybe because he/she has been ordered to pay child support.		Obtain documentation of paternity for the file. Refer to appropriate table item for code based on the documentation. If no documentation in file yet, or you have thoroughly documented the attempts but are still unable to obtain sufficient documentation, code as "PII" & "OOW = Y"		STP

NCP IS GRANDPARENT TO CHILD					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
46.	Minor Child has a Baby and is living outside parents' household or with only one parent or set of parents; Case is pursued against non-resident grandparent(s), maternal and/or paternal.		Obtain documentation of paternity for the file. Refer to appropriate table item for code based on the documentation. If no documentation in file yet or you have thoroughly documented the attempts but are still unable to obtain sufficient documentation, code as "PII" & OOW ="Y".		GRP

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NCP HAS NO RELATIONSHIP TO CHILD, BUT HAS BEEN COURT-ORDERED TO SUPPORT					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
47.	NCP Caused death of child's parent and has been court ordered to replace support that would have been provided by that parent.		<p>Obtain documentation of paternity for the file.</p> <p>Refer to appropriate table item for code based on the documentation.</p> <p>If no documentation in file yet, or you have thoroughly documented the attempts but are still unable to obtain sufficient documentation, code as "PII" & "OOW = Y"</p>		NON

NO PATERNITY INFORMATION FOUND					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
48.	All efforts to determine paternity status have been exhausted and no information can be found for or against establishment.	PII	Narrative or hard copy documentation must be available to establish that a diligent effort was made to obtain the information.	Y	*See below

*Will depend on the NCP and the documentation in file.

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CHILD ON CASE IN ERROR					
#	SITUATION	PAT CODE	INSTRUCTIONS OR DOCUMENTATION	OOW CODE	NCP REL CODE
49.	<p>Child added to case in Error; Paternity was for child with another NCP</p> <p>NOTE: If NCP was ever named as possible Dad or a referral was made for legal action that included this child, the child must remain on the case.</p>		<p>Send request to ICSES Help Desk to have child purged if research has established that the child was actually added in error.</p> <p>Narrate how error status was determined.</p> <p>No paternity data or relationship code should be updated.</p> <p>If there is enough information to document paternity or relationship coding, the child should not be purged.</p>		

NOTE: Contract attorneys and DAGs are required to include a Statement of Filiation in all Paternity Orders. Therefore, gathering well-documented information about the child's paternity status prior to the referral is extremely important so that the appropriate referral can be made. The order must specifically state that the NCP is the father of the child in order to comply with Idaho Code 7-1120 and 7-1104. When reviewing newly entered orders, make sure this language exists or it does not establish paternity.